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Fiftieth session

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Proposed programme budget for the biennium 1996-1997*

Part III International justice and law

Section 5
International Court of Justice

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* The present document contains section 5 of the proposed programme budget for the biennium 1996-1997. The complete proposed programme budget will subsequently be issued in final printed form as *Official Records of the General Assembly, Fiftieth Session, Supplement No. 6* (A/50/6/Rev.1).

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Part III
International justice and law

Section 5
International Court of Justice

Overview

5.1 The International Court of Justice, which sits at The Hague in the Netherlands, is the principal judicial organ of the United Nations. It functions in accordance with its Statute, which forms an integral part of the Charter of the United Nations, and is composed of 15 judges elected by the General Assembly and the Security Council for a period of nine years.

5.2 The Court adjudicates in contentious cases referred to it by States and gives advisory opinions at the request of bodies so authorized by, or in accordance with, the Charter. The Court submits annual reports to the General Assembly. The latest report is contained in document A/49/4.

5.3 The Registry, which is appointed by the Court in accordance with Article 21, paragraph 2, of its Statute, provides legal, diplomatic, administrative and other technical support for the Court. It is also responsible for the financial administration, accounting, archives and distribution services, and documents and library services.

5.4 Neither the activities of the Court nor those of the Registry are covered in the medium-term plan of the United Nations. In order to make a proper assessment of the estimated requirements of the International Court of Justice for the biennium 1996-1997, needs have to be measured against the background of the Court's workload, both current and foreseeable for the biennium. At present, the Court is seized of 13 cases, 2 of which are requests for advisory opinions on legal questions from the United Nations General Assembly and WHO. The case-load remains at the same level as for the period 1993-1994, when it first reached a historical high of 13 cases. Past experience and contemporary developments in international relations make it prudent to assume that at least two new cases will be brought before the Court during the biennium. The anticipated case-load compares with 8 and 11 cases, when the Court submitted its budget proposals for the bienniums 1992-1993 and 1994-1995, respectively. Similar forecasts of its case-load for the four prior bienniums have been substantiated. The current proposals would also provide for a programme of activities in celebration of the fiftieth anniversary of the Court in 1996.

5.5 Regulation 15.1 of article XV of the Financial Regulations and Rules of the United Nations provides that "the programme budget proposals of the International Court of Justice shall be prepared by the Court, in consultation with the Secretary-General. These programme budget proposals shall be submitted to the General Assembly by the Secretary-General, together with such observations as he may deem desirable".

5.6 The proposals submitted herewith follow consultations between the Court and the Secretary-General.

5.7 The estimated percentage distribution of the total resources to be provided to the Court in 1996-1997 would be as follows:

		Regular budget (percentage)
A.	Members of the Court	33.3
B.	The Registry	47.4
C.	Programme support	19.3
	Total	**100.0**

Table 5.1 Summary of requirements by programme

(Thousands of United States dollars)

Programme	1992-1993 expenditures	1994-1995 appropriations	Resource growth		Total before recosting	Recosting	1996-1997 estimates
			Amount	Percentage			
A. Members of the court	7 436.6	7 103.3	32.4	0.4	7 135.7	47.9	7 183.6
B. The Registry	9 505.7	9 237.7	227.0	2.4	9 464.7	761.9	10 226.6
C. Common services	2 631.4	2 975.0	926.0	31.1	3 901.0	263.8	4 164.8
Total	**19 573.7**	**19 316.0**	**1 185.4**	**6.1**	**20 501.4**	**1 073.6**	**21 575.0**

Table 5.2 Summary by object of expenditure

(Thousands of United States dollars)

Object of expenditure	1992-1993 expenditures	1994-1995 appropriations	Resource growth		Total before recosting	Recosting	1996-1997 estimates
			Amount	Percentage			
Salaries and allowances of judges	4 515.2	4 398.8	—	—	4 398.8	—	4 398.8
Common costs of judges	2 836.6	2 647.5	32.4	1.2	2 679.9	44.1	2 724.0
Posts	6 837.6	8 138.9	82.3	1.0	8 221.2	678.5	8 899.7
Other staff costs	2 569.7	945.5	168.1	17.7	1 113.6	74.3	1 187.9
Consultants and experts	72.1	86.8	(43.4)	(50.0)	43.4	3.0	46.4
Travel	102.8	113.5	—	—	113.5	7.5	121.0
Contractual services	415.3	762.7	66.0	8.6	828.7	55.1	883.8
General operating expenses	1 551.4	1 741.9	545.7	31.3	2 287.6	149.7	2 437.3
Supplies and materials	250.2	266.8	19.7	7.3	286.5	19.0	305.5
Equipment	422.8	213.6	314.6	147.2	528.2	42.4	570.6
Total	**19 573.7**	**19 316.0**	**1 185.4**	**6.1**	**20 501.4**	**1 073.6**	**21 575.0**

Table 5.3 Post requirements

Organizational unit: International Court of Justice

	Established posts		*Temporary posts*					
	Regular budget		*Regular budget*		*Extrabudgetary resources*		*Total*	
	1994-1995	*1996-1997*	*1994-1995*	*1996-1997*	*1994-1995*	*1996-1997*	*1994-1995*	*1996-1997*
Professional category and above								
ASG	1	1	—	—	—	—	1	1
D-2	1	1	—	—	—	—	1	1
D-1	1	1	—	—	—	—	1	1
P-5	3	3	—	—	—	—	3	3
P-4/3	13	13	2	2	—	—	15	15
P-2/1	3	3	—	—	—	—	3	3
Total	**22**	**22**	**2**	**2**	**—**	**—**	**24**	**24**
General Service category								
Principal level	6	6	—	—	—	—	6	6
Other levels	26	29	5	2	—	—	31	31
Total	**32**	**35**	**5**	**2**	**—**	**—**	**37**	**37**
Grand total	**54**	**57**	**7**	**4**	**—**	**—**	**61**	**61**

A. Members of the Court

Table 5.4 Summary by object of expenditure
(Thousands of United States dollars)

Object of expenditure	*1992-1993 expenditures*	*1994-1995 appropriations*	*Resource growth*		*Total before recosting*	*Recosting*	*1996-1997 estimates*
			Amount	*Percentage*			
Salaries and allowances of judges	4 515.2	4 398.8	—	—	4 398.8	—	4 398.8
Common costs of judges	2 836.6	2 647.5	32.4	1.2	2 679.9	44.1	2 724.0
Consultants and experts	34.4	—	—	—	—	—	—
Travel	50.4	57.0	—	—	57.0	3.8	60.8
Total	**7 436.6**	**7 103.3**	**32.4**	**0.4**	**7 135.7**	**47.9**	**7 183.6**

5.8 Subsection A covers estimates relating to the statutory entitlements of the members of the Court. The conditions of service and compensation of members of the Court are due for their scheduled comprehensive review during the fiftieth session of the General Assembly. The estimates under this subsection are based on existing rates and are therefore provisional with respect to the common costs of judges and salaries and allowances of judges, pending related decisions of the Assembly. Resources proposed in these estimates are also expected to be supplemented, as the need arises, by commitments entered into under the provisions of the resolution on unforeseen and extraordinary expenses to be adopted by the Assembly. The proposals for the biennium 1996-1997 in that respect will be presented at the fiftieth session of the General Assembly.

Resource requirements (at current rates)

Salaries and allowances of judges

5.9 The requirements under this heading ($4,398,800) relate to salaries and allowances of judges and would provide for the following:

(a) An annual salary of $145,000 per judge, as decided by the General Assembly in its resolution 45/250 A of 21 December 1990;

(b) An additional special allowance of $15,000 per annum for the President of the Court;

(c) An additional special allowance for the Vice-President of $94 for every day he acts as President, up to a maximum of $9,400 per year.

Common costs of judges

5.10 Requirements estimated at $2,679,900 relate to common costs of judges, including the net effect of an increase ($153,600) in the pension entitlements of judges and in the entitlements for education grant and travel of children of judges ($30,000), offset by a reduction of $151,200 relating to one-time resources authorized for fees and travel costs of ad hoc judges ($71,200) and travel, removal and installation expenses of retiring and new members of the Court ($80,000) in 1994-1995.

Pensions for former judges

5.11 As decided by the General Assembly in its resolution 45/250 B, the pension entitlement of a member of the International Court of Justice who has served a full term of nine years should be $50,000 a year and the pension entitlement of a member of the Court who is re-elected should be increased by an additional $250 per month for each further month of service up to a maximum pension of $75,000 per year. The Assembly also decided that, with effect from 1 January 1991 and notwithstanding any provision to the contrary, the annual value of all pensions in course of payment as at 31 December 1990, including the pensions of any members of the Court who retired on or before that date, should be increased by 22 per cent. The Assembly decided further that the pension of the members of the Court should be subject to review whenever the annual salary of the members of the Court was reviewed. In that regard, in its resolution 48/252 B of 26 May 1994, the Assembly, having considered the report of the Secretary-General (A/C.5/48/66) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/48/7/Add.6), invited the Secretary-General to undertake a study of the pension scheme for the members of the International Court of Justice and to report to it thereon at its forty-ninth session. The Advisory Committee, in its report (A/49/7/Add.11) on the report of the Secretary-General (A/C.5/49/8), pointed out that the request of the Assembly in its resolution 48/252 B had not been fully addressed. In its resolution 49/237 of 31 March 1995, the Assembly endorsed the recommendations of the Advisory Committee that the Secretary-General include a comprehensive review of the question in his report to be submitted to the Assembly at its fiftieth session. The requirements for pensions, currently estimated at $2,003,600, are therefore provisional and include an increase of $153,600 due to the net effect of changes in the numbers of retired judges and widows of judges, and would provide for retired judges and widows of judges, in accordance with resolution 45/250 B.

Other common costs

5.12 Requirements for other common costs include:

(a) The travel expenses of three journeys for non-resident judges to attend sessions of the Court and one journey home every second year after the year of appointment for judges residing at the seat of the Court, in accordance with the travel and subsistence regulations of the International Court of Justice as approved by the General Assembly in its resolution 37/240 of 21 December 1982 ($479,800);

(b) Education grant requirements up to a ceiling of $9,750 for each child, in accordance with resolution 48/252 C of 26 May 1994, and increases, in accordance with section X of resolution 47/216 of 23 December 1992, for the cost of educating the children of judges who have taken up primary residence at The Hague. Furthermore, provision is made for the related travel of each child from the place of scholastic attendance, when outside the Netherlands, to The Hague. These estimates are provisional, since, in accordance with resolution 48/252 C, the requirements for education grant and

travel of children of judges will be reviewed, at the same time as the judges' emoluments, by the Assembly at its fiftieth session ($196,500).

Travel

5.13 The estimated requirements ($57,000) under this heading would cover the travel and subsistence of the President of the Court to attend the sessions of the General Assembly and travel and subsistence on other official business by members of the Court.

B. The Registry

Table 5.5 **Summary by object of expenditure**
(Thousands of United States dollars)

Object of expenditure	*1992-1993 expenditures*	*1994-1995 appropriations*	*Resource growth*		*Total before recosting*	*Recosting*	*1996-1997 estimates*
			Amount	*Percentage*			
Posts	6 837.6	8 138.9	82.3	1.0	8 221.2	678.5	8 899.7
Other staff costs	2 569.7	945.5	168.1	17.7	1 113.6	74.3	1 187.9
Consultants and experts	37.7	86.8	(43.4)	(50.0)	43.4	3.0	46.4
Travel	52.4	56.5	—	—	56.5	3.7	60.2
General operating expenses	8.3	10.0	20.0	200.0	30.0	2.4	32.4
Total	**9 505.7**	**9 237.7**	**227.0**	**2.4**	**9 464.7**	**761.9**	**10 226.6**

5.14 The Registry of the Court, its administrative organ, consists of a Registrar and a Deputy Registrar who are elected for a term of seven years and may be re-elected. The Registrar is solely responsible for directing the work of all units of the Registry. Other officials of the Registry are appointed either by the Court on proposals submitted by the Registrar or by him with the President's approval. It provides legal, diplomatic and other technical support for the Court, such as preparing and keeping current the general list of cases submitted, and is the regular channel for communications to and from the Court. It is also responsible for all administrative work, in particular for the Court's financial administration, accounting, archive and distribution services, and document and library services.

Resource requirements (at current rates)

Posts

5.15 The estimated requirements ($8,221,200) would provide for continuing established posts (22 Professional category and above and 32 General Service (6 Principal and 26 Other level)), the conversion of 3 General Service (Other level) temporary posts (2 secretaries of judges and a finance assistant to assist with the maintenance, installation and management of the Court's computer systems) to established posts, and 2 P-4 and 2 General Service (Other level) temporary posts. A continued need exists for (a) two P-4 temporary posts provided for translators, in view of the increase in the case-load of the Court, to translate legal and other documents, including judgments or advisory opinions, judges' written notes concerning cases, minutes of private meetings and verbatim records of public hearings, written pleadings and annexes, etc., to provide interpretation at public hearings and private meetings of the Court and its committee and to prepare glossaries; and (b) two clerk-typists for the typing pool, who would also carry out secretarial functions for all Professional staff of the Registry and the need for whom is justified by increased efficiency in the Court's work.

Other staff costs

5.16 Other staff costs include provisions for:

(a) Temporary assistance for meetings ($846,000), which includes a resource growth of $168,100, to provide for the recruitment and travel of free-lance interpreters, translators and stenotypists required for pre- and in-session conference servicing of private meetings and public hearings of the Court. The proposed increase is on the basis of experience over the years and relates to the preparatory work for the case-load of the Court;

(b) General temporary assistance ($192,900) for secretaries, messengers, library assistants and telephone operators to supplement the regular staff;

(c) Overtime ($74,700) for secretarial assistance to judges and the regular staff of the Registry, during peak workload periods.

Consultants and experts

5.17 The requirements of $43,400 would provide for expertise to instruct and train the Registry staff in software application and available software and hardware, the maintenance and enhancement of the Court's computer system, and the implementation and management of data transmission protocols. This reflects a reduction of $43,400 resulting from efforts to economize by having various staff of the Registry carry out some of the required functions.

Travel

5.18 A provision of $56,500 is proposed for travel of the Registry staff on official business of the Court.

General operating expenses

5.19 The provision of $30,000, relating to the hospitality requirements of the President and members of the Court during attendance at the sessions of the General Assembly, international conferences or meetings and for visits by Heads of State or Government and other officials of Governments and international organizations to the Court, includes a resource growth of $20,000, provided only for 1996-1997, to cover hospitality requirements relating to the celebration of the fiftieth anniversary of the International Court of Justice.

C. Programme support

Table 5.6 Summary by object of expenditure
(Thousands of United States dollars)

Object of expenditure	1992-1993 expenditures	1994-1995 appropriations	Resource growth		Total before recosting	Recosting	1996-1997 estimates
			Amount	Percentage			
Contractual services	415.3	762.7	66.0	8.6	828.7	55.1	883.8
General operating expenses	1 543.1	1 731.9	525.7	30.3	2 257.6	147.3	2 404.9
Supplies and materials	250.2	266.8	19.7	7.3	286.5	19.0	305.5
Equipment	422.8	213.6	314.6	147.2	528.2	42.4	570.6
Total	**2 631.4**	**2 975.0**	**926.0**	**31.1**	**3 901.0**	**263.8**	**4 164.8**

5.20 The estimates under this subsection cover provisions relating to common service requirements of the International Court of Justice and its Registry, including in particular the contribution of the United Nations to the Carnegie Foundation for the use of the Peace Palace by the Court.

Resource requirements (at current rates)

Contractual services

5.21 The estimated requirements of $828,700 would provide for the following:

(a) The Court's printing programme ($531,900). The resources would cover the cost of publications, as provided for by the Statute and rules of the Court, and would include three annual series: ***Reports of Judgments, Advisory Opinions and Orders***, a ***Bibliography*** of works and documents relating to the Court, and the *Yearbook* of the Court. The provision would also cover a booklet on the Court marking its fiftieth anniversary, which it is proposed to publish in all official languages of the United Nations. In addition, requirements would provide for the documentation of each case, which is published by the Court, after the end of the proceedings, under the title *Pleadings, Oral Arguments, Documents, Comprising Texts, Maps and Charts*;

(b) Provision for contractual external translation, for the employment of external contractual translators in view of the Court's unprecedented case-load, which is expected to continue during the biennium 1996-1997 ($208,500);

(c) Data-processing services in respect of continued access to external databases ($22,300) and the one-time cost of improving the security of the Court's records, and reducing the space necessary for file storage, through the conversion of its records to the optical-disc medium ($66,000).

General operating expenses

5.22 The requirements of $2,257,600, which include a resource growth of $525,700, would provide for:

(a) The contribution payable by the United Nations for its share of the general operating expenses of the facilities provided in the Peace Palace at The Hague for the Court ($1,767,800). This includes an increase of $457,400 related to the enlargement of premises available to the Court. The proposed enlargement is felt necessary because of the increasing number of cases brought before the Court, and the additional space required as a consequence for those judges whose terms have officially expired but who are maintained in office to complete cases, for ad hoc judges and extra support staff. Consultations are going on between the Carnegie Foundation and the United Nations in that respect and with respect to the Agreement entered into for the use of the premises by the International Court of Justice. On the basis of indications given by the Carnegie Foundation, the estimates assume that the enlarged premises would be made available to the Court in the second half of 1996;

(b) $21,500 for the rental of photocopying equipment;

(c) $256,900 to cover the costs of long-distance telephone calls, postage, pouches, cables and telex and fax communications;

(d) $187,700 to cover the maintenance of the Court's office automation equipment, vehicles and other office equipment, which includes a resource growth of $68,300 mainly for maintenance with respect to the acquisition of the new reproduction machine proposed below;

(e) $23,700 to provide for automobile insurance of the Court's two official cars and other miscellaneous services provided to the Court.

Supplies and materials

5.23 The resources of $286,500 would provide for library books and supplies, stationery, paper for internal reproduction, offset supplies and other miscellaneous supplies. The increase of $19,700 relates to the increased workload of the Court and the corresponding increased requirement for reproduction supplies.

Equipment

5.24 The requirements of $528,200 include a resource growth of $350,700 proposed only for 1996-1997 to cover (a) the purchase of reproduction equipment ($185,700); and (b) requirements for the Court's programme of acquisition of office automation equipment, including an e-mail router and facsimile gateway ($35,000), a document information and archiving system ($45,000), optical disk storage ($30,000), personal printers for members of the Court ($9,000), memory upgrade for personal computers ($18,000), three portable computers for members of the Court, to enable work at home or other remote locations ($7,500) and additional storage and memory capacity for servers ($20,500). The balance of $177,500 would cover the purchase of other equipment for the most part required for the enlarged accommodations of the Court ($53,300) and replacement of its office automation equipment ($124,200). The lapsing of a one-time provision in the biennium 1994-1995 for the purchase of two cars for the Court offsets the resource growth under this heading by $36,100.